

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

N.P.H.B. Restaurant Corp.,

Debtor.

Chapter 11

Case No.: 16-11668 (MEW)

ORDER DENYING MOTION TO DISMISS

On October 25, 2016, the United States Trustee for Region 2 filed a motion to dismiss this case on the ground that the debtor had failed to file schedules, a statement of financial affairs, and the affidavit required by Local Bankruptcy Rule 1007-2. The matter was adjourned on November 30, 2016 and on December 14, 2016, and the missing materials were filed in January 2017. At a conference on January 17, 2017, the United States Trustee acknowledged that the grounds on which it had sought dismissal no longer applied. Accordingly, it is hereby

ORDERED, that the motion to dismiss is denied, without prejudice to the filing of a further motion to dismiss or to convert the case in the event the United States Trustee believes that circumstances warrant such relief.

Dated: New York, New York
January 31, 2017

s/Michael E. Wiles
Hon. Michael E. Wiles
United States Bankruptcy Judge